FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

DISTRICT :

WRIT PETITION NO.337 OF 2007

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr.P.S.Dani i/b.Mr.J.P.Thakkar for the Petitioner.

Mr.A.L.N.Khatri for Respondent No.1.

CORAM : S.J.VAZIFDAR, J.
DATED : 16TH JANUARY, 2007

P.C:

The question whether the amendment was necessitated by reason of inadvertence viz. mentioning the name of the grandfather, will be decided at the final hearing of the suit.

2. That the Defendants deny that the averment was through inadvertence, is not a ground for rejecting the Chamber Summons for amendment. So also, the question as to whether the suit is

maintainable without seeking the administration of the estate of the grandfather, is a question which will have to be decided at the final hearing of the suit.

3. In any event, the Petitioner is always at liberty to challenge this order from the final decree, if necessary.

4. Writ Petition is dismissed.